Version with Markings to Show Changes Made

1. A personal cleansing wipe article having superior softness, feel and cleansing properties, which wipe article comprises:

A. a single layer, nonwoven substrate formed from hydroentangled fibers, said substrate having on a substantial portion of a base surface thereof a three-dimensional pattern, which pattern comprises a plurality of discrete, raised fibrous regions, wherein the raised fibrous regions have a density which is substantially the same as the density of the base surface, and wherein said raised fibrous regions are joined to said base surface by a fibrous transition region; and

B. an aqueous liquid cleansing composition comprising

--a. from about 0.5% to about 12.5% of the cleansing surfactant;

and

b. from about 0.5% to about 5% of a lipophilic skin moisturizing agent--

[an effective amount of a cleansing surfactant,] wherein the cleansing surfactant comprises at least one anionic surfactant, and wherein said aqueous liquid cleansing composition is coated onto or impregnated into said substrate to the extent of from about 100% to about 400% by weight of the substrate.

11. A personal cleansing wipe article having superior softness, feel and cleansing properties, which wipe article comprises:

A. a single layer, nonembossed, nonwoven substrate formed from hydroentangled fibers, said substrate having on a substantial portion of a base surface thereof a three-dimensional pattern, which pattern comprises a plurality of discrete, raised fibrous regions, wherein said raised fibrous regions are joined to said base surface by a fibrous transition region; and

B. an aqueous liquid cleansing composition comprising

--a. from about 0.5% to about 12.5% of the cleansing surfactant;

and

b. from about 0.5% to about 5% of a lipophilic skin moisturizing agent--

[an effective amount of a cleansing surfactant,] wherein the cleansing surfactant comprises at least one anionic surfactant, and wherein said aqueous liquid cleansing composition is coated onto or impregnated into said substrate to the extent of from about 100% to about 400% by weight of the substrate.

12. A personal cleansing wipe article having superior softness, feel and cleansing properties, which wipe article comprises:

A. a single layer, nonwoven substrate formed from hydroentangled fibers, said substrate having on a substantial portion of a base surface thereof a three-dimensional pattern, which pattern comprises a plurality of discrete, raised fibrous regions, wherein said raised fibrous regions are joined to said base surface by a fibrous transition region; and

B. an aqueous liquid cleansing composition comprising

--a. from about 0.5% to about 12.5% of the cleansing surfactant; and

b. from about 0.5% to about 5% of a lipophilic skin moisturizing agent--

[an effective amount of a cleansing surfactant,] wherein the cleansing surfactant comprises at least one anionic surfactant, and wherein said aqueous liquid cleansing composition is coated onto or impregnated into said substrate to the extent of from about 100% to about 400% by weight of the substrate;

wherein said three-dimensional pattern is formed as the fibers are being entangled.

13. A process for preparing a personal cleansing wipe article having superior softness, feel and cleansing properties, which process comprises:

A. placing a web of fibers on a foraminous forming plate or topographical support member comprising an essentially planar background surface with at least one recessed region significantly displaced from the background surface of the forming plate;

B. applying fluid force to the upper surface of the fibrous web such that the fibers become entangled and a patterned substrate is formed;

C. transporting the fluid away from the patterned substrate; and

D. coating or impregnating the patterned substrate with an aqueous cleansing composition comprising

--a. from about 0.5% to about 12.5% of the cleansing surfactant; and

b. from about 0.5% to about 5% of a lipophilic skin moisturizing agent--

[an effective amount of a cleansing surfactant,] to the extent of from about 100% to about 400% by weight of the substrate, wherein the cleansing surfactant comprises at least one anionic surfactant, and wherein.

15. A personal cleansing wipe article having superior softness, feel and cleansing properties, which wipe article comprises;

A. a single layer, nonwoven substrate formed from hydroentangled fibers, said substrate having on a substantial portion of a base surface thereof a three-dimensional pattern, which pattern comprises a plurality of discrete, raised fibrous regions, wherein the raised fibrous regions have a density which is substantially the same as the density of the base surface, and wherein said raised bifrous regions are joined to said base surface by a fibrous transition region; and

B. an aqueous liquid cleansing composition comprising

--a. from about 0.5% to about 12.5% of the cleansing surfactant; and

b. from about 0.5% to about 5% of a lipophilic skin moisturizing agent--

[an effective amount of a cleansing surfactant,] and from about 0.5% to about 10% of an organic acid, wherein said aqueous liquid cleansing composition is coated onto or impregnated into said substrate to the extend of from about 100% to about 400% by weight of the substrate having a pH ranging from about 3 to about 6.

REMARKS

Application Amendments

Claims 1, 11-13 and 15 have been amended by way of the present amendment. Support for these amendments can be found in the claims as originally filed. Claims 6 and 17 have been deleted. No new matter has been added and no additional claim fee is believed to be due at this time.

The Rejections under 35 USC §103

Manning et al., US Patent No. 4,755,421, in view of Gordon et al., US Patent No. 5,763,332 and Pregozen, US Patent No. 5,141,803

Claims 1-8 and 11-21 are pending and have been rejected under 35 USC §103(a) as being unpatentable over Manning et al., US Patent No. 4,755,421, in view of Gordon et al., US Patent No. 5,763,332 and Pregozen, US Patent No. 5,141,803. The Examiner states that Manning et al., discloses a wiper including a nonwoven web made of a special blend of cellulosic fibers held together only by friction and naturally occurring hydrogen bonding. The web is produced by subjecting a wet-laid web of cellulosic fibers to hydroentanglement. The reference further teaches that the wet wipes usually are stacked and wrapped in a liquid-tight package while maintained in a liquid preservative compositions containing an antimicrobial agent. The Examiner assumes that a nonwoven substrate that has been formed by hydroentanglement will have a 3-D pattern. The Manning reference however, fails to specifically teach the use of anionic surfactants as the emulsifier.

Applicant submits that the nonwoven substrate in Manning would not inherently possess the same characteristics as the substrate in the present invention. The Manning substrate is formed by hydroentanglement and may very well have a pattern, but there is not disclosure or suggestion that it would be a 3-d pattern or that the density of the raised fibrous regions is the same as the density of the base surface. This is required in the present invention. There is also no reference that one of skill in the art would be motivated to combine with Manning to suggest that having equal densities would be beneficial to substrate feel (softness) and effectiveness. The James reference cited in an earlier action and mentioned in the present action is not a hydroentangled substrate and therefore one would not expect it to have the same characteristics as the substrate in Manning or the present application.

The Examiner cites Gordon et al., for its teaching of wet-like cleaning wipes and anionic detergent surfactants, stating that it would have been obvious to one of skill in the art to modify the wipe and provide it with anionic surfactants for the purpose of improving the

cleaning performance. Gordon does disclose the use of anionic surfactants as an optional additional ingredient. However, Gordon specifically teaches that they "cannot be present in the emulsion at significant levels (e.g., greater than 2% of the internal polar phase) because they can cause premature disruption of the emulsion". (See column 17, lines 47-51) This would not lead one of skill in the art to formulate a wet-wipe with a cleansing composition and require that it contain anionic surfactant. On the contrary it would tend to lead one of skill in the art away from use of such ingredients. The teaching against in Gordon is not limited to anionic surfactants but nonionic, zwitterionic, ampholytic, and cationic as well. The present invention as now claimed requires at least 0.5 to 12.5% cleansing surfactant.

Both references fail to specifically provide the content of the other elements of the cleansing composition. For this the Examiner cites Pergozen, which discloses an aqueous composition for impregnating a nonwoven wipe having a pH of from 3.5 to 4.5. The Examiner states that it would have been obvious to one of skill in the art to modify the non-woven fabric disclosed by Manning et al., to have an aqueous cleansing composition with an acid, moisturizing agent, and an antibacterial active for the purpose of providing consumers with alcohol-free wipes that have antimicrobial effect. Applicant respectfully traverses the Examiner's rejection based on the comments below.

The Pergozen reference relates specifically to the use of cationic biocides to preserve the integrity of wipes during storage and to provide antibacterial properties to mostly hard surfaces. The wipes in Pergozen do not exhibit the softness and density characteristics of the present invention. Nor do they deliver any skin conditioning benefits. There is no motivation present in Pergozen that would lead one of skill in the art to combine it with the above cited references to arrive at the present invention. In fact if one were to combine the teachings of Manning, Gordon and Pergozen it would result in a hydroentangled substrate comprising a two phase emulsion and an biocidal preservative system. There is no suggestion to one of skill in the art to select the specific characteristics and combinations as now claimed in the present application.

To properly reject a claim under 35 U.S.C. §103, three elements must be met by the references to establish a prima facie case of obviousness: (a) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; and (b) there must be a reasonable expectation of success; and (c) the prior art references must teach or suggest all the claim limitations. In re Fine, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Merck & Co., Inc., 231 USPQ 375 (Fed. Cir. 1986); In re Royka, 180 USPQ 580 (CCPA 1974). See also MPEP 2142. Applicants submit that the compositions defined by the

amended claims of the above-identified application are nonobvious over and patentably distinguished from the teachings of Manning, Gordon, and Pregozen.

Applicants submit that nothing in the combined teachings of the references cited by the Examiner would suggest to one skilled in the art to select the specific substrate with the specific characteristics to be combined with the surfactant containing cleansing compositions to arrive at the present invention which provides superior softness and cleaning performance.

Accordingly, claims 1-5, 7-8, 11-16, and 18-21 are novel and unobvious over the prior art of record and any combination thereof.

Conclusion

In light of the amendments and remarks presented herein, Applicants' respectfully submit that the Claims 1-5, 7-8, 11-16, and 18-21 are allowable over the prior art of record or any combination thereof. Reconsideration is respectfully requested. In the event that issues remain prior to allowance of the noted claims, then the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,

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